

Remarks**I. Status of the Application**

Claims 92-114 are pending. Claims 92-95 and 99-111 and new claims 112-114 are withdrawn. Claim 96 is amended. Claim 98 is cancelled. New claims 112-114 are added. Support for the new claims may be found on pages 1-2 of the application as filed.

II. Rejections under 35 USC §103(a)

The Examiner has rejected claims 96-98 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doweiko (U.S. Pub. No. 2006/0223110) as evidenced by Patani et al. (Chemical Reviews, Vol. 96 (8) 1996). In particular, the examiner points to an intermediate disclosed on page 29 for use in the synthesis of 4[1-(4-fluoro)naphthyl]aminoimidazole.

Applicants submit that amended claim 96 and dependent claims 97 and 99 are not obvious over Doweiko as evidenced by Patani et al.

Doweiko is directed to the identification and structural definition of a second binding site in the ligand binding domain of nuclear hormone receptors. The disclosure also relates to methods for designing and identifying ligands of Site II and modulators of NHRs. Doweiko discloses on pages 28- 32, intermediates and methods used in the synthesis of compounds which are described as modulators of Nuclear Hormone Receptors. None of the intermediate compounds are described as possessing any pharmaceutical activity.

None of the compounds disclosed in Doweiko are encompassed within claim 96 as amended. One of skill in the art looking to develop compounds as antagonists of

a 5-HT_{2B} would not choose to modify such intermediate compounds. There is no teaching in Dowenyko that these compounds have any pharmacological activity, let alone toward a Nuclear Hormone receptor. Dowenko does not teach how or why one would choose to modify these intermediates.

The Examiner cites Patani to support the idea that one of skill in the art would choose modify the compound disclosed in Dowenyko by substituting an F group for H. As discussed above, nothing in Dowenyko even suggest that the intermediate compounds would be useful starting points for modification. Nothing in Patani makes up for the deficiencies of Dowenyko.

In addition, amended claim 96 requires the presence of at least three substituents on the imidazole core. The compound of Dowenyko only has two substituents on the imidazole core. Assuming for arguments sake that the compound of Dowenyko was modified by replacing H with F, as the Examiner suggests, the resulting compound would not fall within the scope of claim 96.

In view of the arguments above favorable reconsideration of claims 96, 97, 99, 112-114 is respectfully requested.

III. Conclusion

Applicants submit that claims 96, 97, 99, 109, and 112-114, are in condition for allowance. Applicants request reconsideration, withdrawal of the rejections, rejoinder of method claims 109, and 112-114, and allowance of the application.

Respectfully submitted,

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Date

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